

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
HATTIESBURG DIVISION

HERMAN SAUNDERS, #73747

PETITIONER

VERSUS

CIVIL ACTION NO. 2:06cv087KS-JMR

WALTER BOOKER AND JIM HOOD

RESPONDENTS

ORDER

Upon consideration of the petition filed pursuant to 28 U.S.C. § 2254 by the petitioner in the above entitled action, the court notes that the petitioner failed to file a completed application to proceed in forma pauperis or submit the \$5.00 filing fee. Accordingly, it is hereby

ORDERED:

1. That on or before April 25, 2006, petitioner shall file a completed application for leave to proceed in forma pauperis (attached) OR pay the \$5.00 filing fee.

2. **That petitioner be informed that his failure to timely comply with the requirements of this order may lead to the dismissal of his petition.**

3. The Clerk shall mail the attached in forma pauperis application to the petitioner at his last known address.

THIS, the 3rd day of April, 2006.

s/ John M. Roper  
CHIEF MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
\_\_\_\_\_ DIVISION

Petitioner

v.

CIVIL ACTION NO. \_\_\_\_\_

Respondent

**MOTION TO PROCEED *IN FORMA PAUPERIS***

I, \_\_\_\_\_, declare that I am the petitioner in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 U.S.C. §1915 I declare that I am unable to pay the costs of said proceedings or give security therefor; that I believe I am entitled to the relief.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

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**AFFIDAVIT IN SUPPORT OF MOTION**

In support of this motion, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? \_\_\_\_\_ Yes \_\_\_\_\_ No  
If "yes" state the place of your incarceration \_\_\_\_\_
2. Are you presently employed (at the institution or otherwise)? \_\_\_\_\_ Yes \_\_\_\_\_ No
  - a. If the answer is "yes," state the amount of your salary or wages per month, and give the name and address of your employer. \_\_\_\_\_  
\_\_\_\_\_
  - b. If the answer is "no," state the date of the last employment and the amount of the salary and wages per month which you received. \_\_\_\_\_  
\_\_\_\_\_
3. Have you received within the past twelve months any money from any of the following sources?
  - a. Business, profession or form of self-employment? \_\_\_\_\_ Yes \_\_\_\_\_ No

- b. Rent payments, interest or dividends? ☐ Yes ☐ No  
 c. Pensions, annuities or life insurance payments? ☐ Yes ☐ No  
 d. Gifts or inheritances? ☐ Yes ☐ No  
 e. Any other sources? ☐ Yes ☐ No

If the answer to any of the above is "yes," describe each source of money and state the amount received from each during the past twelve months. \_\_\_\_\_

4. Do you own cash, or do you have money in a checking or savings account?

☐ Yes ☐ No (Include any funds in prison accounts.)

If the answer is "yes," state the total value of the items owned. \_\_\_\_\_

5. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? ☐ Yes ☐ No

If the answer is "yes," describe the property and state its approximate value. \_\_\_\_\_

6. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support.

I declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Executed on \_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Petitioner

### Certificate

I hereby certify that the petitioner herein has the sum of \$\_\_\_\_\_ on account to his credit at the \_\_\_\_\_ institution where he is confined. I further certify that petitioner likewise has the following securities to his credit according to the records of said \_\_\_\_\_ institution:\_\_\_\_\_.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Officer of Institution